

## United States District Court

SOUTHERN

DISTRICT OF

TEXAS

McALLEN DIVISION

UNITED STATES OF AMERICA

V.

Roberto Garcia-Castro

PRINCIPAL

YOB: 1985

the United Mexican States

United States District Court  
Southern District of Texas  
FILED

SEP 18 2016

## CRIMINAL COMPLAINT

Case Number:

M-16-1738-M

(Name and Address of Defendant)

Clerk of Court

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about September 17, 2016 in Starr County, in the Southern District of Texas defendants(s) did,  
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Luis Roberto Rosales-Avila, a citizen and national of Mexico, and Alfredo Calel-Pelico, citizen and national of Guatemala, along with four (4) other undocumented aliens, for a total of six (6), who had entered the United States in violation of law, did knowingly transport, or move or attempts to transport said aliens in furtherance of such violation of law within the United States, that is, from a location near Roma, Texas to the point of arrest near Roma, Texas,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) FELONY

I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On September 17, 2016, Border Patrol Agents assigned to the Rio Grande City Border Patrol Station Tactical Operation Center advised field agents of a drawbridge camera activation showing several subjects traveling away from the Rio Grande River in Roma, Texas. The camera showed a group traveling on a dry creek bed towards US Highway 83 and Bethel Street in Roma. This creek bed is an area highly used by human and narcotic smugglers.

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Signature of Complainant

Sworn to before me and subscribed in my presence,

September 18, 2016

Date

Jeremiah J. Abrego Senior Patrol Agent

Printed Name of Complainant

at McAllen, Texas

City and State

Dorina Ramos, U. S. Magistrate Judge  
Name and Title of Judicial Officer

Dorina Ramos  
Signature of Judicial Officer

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
McALLEN, TEXAS**

**ATTACHMENT TO CRIMINAL COMPLAINT:**

**M-16-1738-M**

**RE: Roberto Garcia-Castro**

**CONTINUATION:**

As Agent M. Solis approached the intersection of Athens St. and Bethel St., he observed two vehicles traveling in tandem turning south onto Athens St. from Bethel St. One vehicle was a light brown Chevrolet Tahoe and the other vehicle was a white Chevrolet Tahoe. Agent Solis observed the two vehicles turn onto U.S. highway 83 and continued to drive in tandem and as the vehicles passed his location, Agent Solis was able to observe several subjects through the rear window of the white Tahoe. Agent Solis followed the white Tahoe to get a closer look at the vehicle and to request a check on the vehicle's paper licenses plates. Recorded showed that the paper licenses plates displayed on the white Tahoe was registered to a freightliner commercial truck and not a Tahoe. Agent Solis then proceeded to stop the vehicle. In questioning the driver and six (6) passengers, it was determined that all were illegally in the United States. The driver, Roberto Garcia-Castro, and six (6) undocumented alien passengers were transported to the Rio Grande City Border Patrol Station for interview and processing.

**PRINCIPAL STATEMENT:**

Roberto GARCIA-Castro was advised of his Miranda Rights, understood his rights and was willing to provide a sworn statement without the presence of an attorney.

Roberto GARCIA-Castro, a citizen and national of Mexico, stated he was near a cemetery in Roma, Texas on September 17, 2016 with the intent to pick up and transport illegal aliens in his vehicle. GARCIA-Castro further stated that a person only known as Juan was to pay him \$60 USD per person that he transported. GARCIA-Castro stated that he was to transport the illegal aliens to a store but was still waiting on specifics to the store's name and location.

**NOTE:**

Roberto GARCIA-Castro was named as the principal in three separate Administrative Alien Smuggling cases: May 04, 2015, July 03, 2015, and January 4, 2016.

**MATERIAL WITNESS STATEMENTS**

Luis Roberto ROSALES-Avila and Alfredo CALEL-Pelico were read their Miranda Rights, understood their rights and were willing to provide a sworn statement without the presence of an attorney.

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
McALLEN, TEXAS**

**ATTACHMENT TO CRIMINAL COMPLAINT:**

**M-16-1738-M**

**RE: Roberto Garcia-Castro**

**CONTINUATION:**

**1-MATERIAL WITNESS STATEMENT:**

Luis Roberto ROSALES-Avila, a citizen and national of Mexico, stated he was to pay \$2000-\$3000 USD to be smuggled into the United States with a destination of Chicago, Illinois. ROSALES-Avila stated that he then made his illegal entry with twelve other people. ROSALES-Avila stated that once he was in the United States, the guide pointed away from the river and instructed them to run towards a bridge that was located near some billboards. He stated the guide told them that once they reached the bridge, the pick-up vehicle will be there waiting for them. Once at the bridge, the group ran towards what he described as a white SUV. ROSALES-Avila stated that they drove for approximately five minutes when they were eventually pulled over by law enforcement. ROSALES-Avila identified the driver of the vehicle he was arrested in as, Roberto GARCIA-Castro, through a photo lineup.

**2-MATERIAL WITNESS STATEMENT:**

Alfredo CALEL-Pelico, a citizen and national of Guatemala, told agents he was to pay a total of \$5,300 to be smuggled into the United States with a final destination of Virginia. CALEL-Pelico stated he illegally crossed the Rio Grande River with eleven other people. CALEL-Pelico stated that once in the United States, the group followed a guide named "Guacho". He states that they walked until arriving at a cemetery and then approached a bridge. Once at the bridge, the guide then instructed them to get into the vehicles. CALEL-Pelico claims that there was two vehicles, a white truck and a beige truck. He describes the vehicle that he loaded into as a white, enclosed truck with four doors and sat in the back seat. CALEL-Pelico stated they drove for approximately five to eight minutes when they were eventually pulled over by law enforcement. CALEL-Pelico was not able to identify the driver of the vehicle he was arrested in.